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FIGS. 10(A-B). Conserved *cis* Regulatory Elements in the SM -actin 5' (FIG. 10A) and First Intron (FIG. 10B) Promoter Regions. Several important protein binding regions that have significant homology to known *cis* regulatory elements that bind AP1 and the GATA family of transcription factors were identified by DNase footprinting. This Figure also shows the mutated sequences for AP1-like (SEQ ID NO:19), GATA (SEQ ID NO:20) and CARGs A, B and the intronic CARG (SEQ ID NOS: 14, 15, and 16 respectively), which were prepared. The Figure further shows the homology that exists for the above sequences in humans, rats, mice and chickens.

Please replace the paragraph beginning on page 12, line 10, with the following amended paragraphs:

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FIGS. 12(A-C). Alignment of Human, Rat, Mouse, and Chicken 5' Promoter Region from about -1,100 base pairs to the Start of Transcription (SEQ ID NOS: 3-6, respectively). CARGs A and B are marked and boxed.

Please replace the paragraph beginning on page 12, line 14, with the following amended paragraphs:

FIGS. 13(A-G). Alignment of Human, Rat, Mouse and Chicken First Intron Sequence from about +47 through about +2775 (SEQ ID NOS: 7-10, respectively). The intronic CARG is marked and boxed.

Please insert the accompanying paper copy of the Substitute Sequence Listing, page numbers 1-10, at the end of the application.

REMARKS

Applicants request entry of this amendment in adherence with 37 C.F.R. §§1.821 to 1.825. This amendment is accompanied by a floppy disk containing the above named